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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/010,193

12/06/2001

Hideki Tsuchida

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2589

53884 7590 11/21/2007

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EXAMINER

KRUEER, KEVIN R

ART UNIT

PAPER NUMBER

1794

MAIL DATE

DELIVERY MODE

11/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No. 10/010,193	Applicant(s) TSUCHIDA ET AL.	
Examiner Kevin R. Krueer	Art Unit 1773	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 July 2003.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6 and 8-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6 and 8-13 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) Interview Summary (PTO-413) Paper No(s). _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other:

DETAILED OFFICE ACTION

This action is in response to the Petition granted June 06, 2007.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-6 and 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quinn et al (US 3,642,584). Quinn teaches a plastic substrate that is plated with a metal by pretreating the substrate with phosphorous sesquisulfide (herein relied upon to read on the claimed "ion exchange group introduction agent") in an organic solvent to deposit phosphorus sesquisulfide at the surface, followed by contacting the treated surface with a metal salt or complex thereof, to form a metal-phosphorus-sulfur compound and then with a solution of an alkali metal hydroxide or carbonate or ammonium hydroxide or a non-oxidizing mineral acid (abstract). The resulting treated surface is conductive (abstract). The metal is selected from the group consisting of copper, silver, gold, chromium, vanadium, tantalum, cadmium, tungsten, molybdenum, and the like (col 3, lines 39+). The plastic substrate may comprise phenol resins, polypropylene resins, epoxy resins, or ABS (col 1, lines 65+). NOTE: With respect to claim 3, the "metal element" in Quinn is metal.

Quinn teaches that the layer may be conductive, but does not teach the desired level of conductivity on the surface. However, it would have been obvious to one of

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ordinary skill in the art to select the metal element and to vary the amount of metal element deposited on the substrate in order to obtain the desired level of conductivity. The examiner takes the position that one would necessarily change the "ratio of the resin composite material to the resistivity of said component containing metal element" with the selection of the metal element and by varying the amount of metal element deposited.

Response to Arguments

Applicant's arguments filed July 16, 2003 have been fully considered but they are not persuasive.

Applicant argues Quinn does not provide any reason or motivation to form a resin composite material having the recited ratios of claims 1 and 6. Said argument has been fully considered but is not persuasive. As noted in the rejection, Quinn teaches the layer is desirably conductive. The examiner took the position that it would have been obvious to the skilled artisan to vary the amount of metal element deposited in the substrate in order to obtain the desired level of conductivity. The optimization of the layer's conductivity would necessarily change the "ratio of the resin composite material to the resistivity of said component containing metal element." Applicant has failed to explain how the examiner erred in logic. Thus, the rejection is maintained.

Applicant further argues Quinn does not address the same problems as the claimed invention, which is drawn to preventing damage to the resin based from electrostatic electricity caused by charging and preventing adhesion of dust particles. Said argument is noted but is not persuasive because the reason or motivation to

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modify the reference may often suggest what the inventor has done, but for a different purpose or to solve a different problem. It is not necessarily that the prior art suggest the combination to achieve the same advantage or result discovered by applicant. Furthermore, applicant has failed to establish unexpected results with respect to the claimed invention.

For the reasons given above, the rejection is maintained.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin R. Kruer whose telephone number is 571-272-

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1510. The examiner can normally be reached on Monday-Friday from 7:00a.m. to 4:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney, can be reached on (703) 308-2367. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1700.



Kevin R. Kruer

Patent Examiner-Art Unit 1773